IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

CWP NO.18702 of 2006

DATE OF DECISION:21.12.2006

Maya Devi ....Petitioner.

Versus

The Development Commissioner and Secretary to Govt. Punjab, and others ....Respondents.

CORAM: HON'BLE MR.JUSTICE J.S. KHEHAR
HON'BLE MR. JUSTICE S.D. ANAND

PRESENT: Mr. Gurbachan Singh, Advocate
for the petitioner.

Mr.Ashok Aggarwal, Addl.A.G. Punjab and
Mr.B.S.Chahal, Advocate for
respondents No.1 to 7.

J.S. Khehar, J. (oral)

This Court passed the following order on November 27, 2006:-

" Learned counsel for the petitioner has invited our attention to the response of the Chief Agriculture Officer, Ferozepur, to the legal notice submitted by the petitioner, wherein, through a communication dated 30.10.2006 (Annexure P2), it is acknowledged that the payment of wages to the petitioner, who is a part time sweeper, is pending consideration at the hands of the sanctioning authority.

Notice of motion.

On our asking, Mr. B.S. Chahal, Assistant Advocate

General, Punjab, accepts notice on behalf of respondents No.1 to 7.

Learned counsel for the respondents seeks an adjournment so as to enable him to obtain instructions in the matter.

Prayer is allowed.

List again on 12.12.2006.

Be shown in the urgent list."

In furtherance of the directions issued by this Court, Mr. Ashok Aggarwal, Additional Advocate General, Punjab, and Mr. B.S. Chahal, Assistant Advocate General, Punjab, have brought to our notice that a sum of Rs.13,440/- is due to the petitioner on account of wages at the rate of Rs.280/- per month for the period from March 2001 to February 2005. It is also pointed out that the petitioner has not been in service after February 2005. In token of the acceptance of the claim of the petitioner, learned counsel for the respondents have handed over to us in Court today a demand draft in the sum of Rs.13,440/- drawn on the State Bank of India, Jalalabad (Ferozepur district) Branch. The aforesaid demand draft has been handed over by us to the learned counsel for the petitioner for onward transmission to the petitioner.

In view of the factual position noticed in the foregoing paragraph, it is apparent, that the instant writ petition has been rendered infructuous. Disposed of as having been rendered infructuous.

However, compelling a part time sweeper, holding a class IV post, earning wages at the rate of Rs.280/- per month, to approach this Court for wages for a period of four years, commencing from March 2001 to February 2005, is clearly ununderstandable. We, accordingly, direct the respondents to pay the petitioner costs quantified as Rs.5000/- for

compelling the petitioner to file the instant writ petition merely for seeking wages which should have ordinarily been released to her voluntarily by her employers. The aforesaid costs shall be paid by the respondents to the petitioner within one month from today.

(J.S. Khehar)
Judge

(S.D. Anand)
Judge

December 21, 2006.
vig